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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,942	01/10/2001	Stephen Huxter	25350-705	9602
535	7590 12/14/2004		EXAM	INER
THE FIRM OF KARL F ROSS			WEBB, JAMISUE A	
5676 RIVERI PO BOX 900	5676 RIVERDALE AVENUE PO BOX 900			PAPER NUMBER
RIVERDALE (BRONX), NY 10471-0900			3629	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	09/758,942	HUXTER, STEPHEN			
Office Action Summary	Examiner	Art Unit			
	Jamisue A. Webb	3629			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REP THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR of after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a recommendation of the period for reply specified above, the maximum statutory perions are period for reply within the set or extended period for reply will, by status Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	I. 1.136(a). In no event, however, may a reply be tined think the statutory minimum of thirty (30) day of will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on <u>07</u>	September 2004.	`			
2a) This action is FINAL . 2b) ⊠ Th	nis action is non-final.				
3) Since this application is in condition for allow closed in accordance with the practice under	·				
Disposition of Claims					
4) ☐ Claim(s) 27-36 is/are pending in the applicat 4a) Of the above claim(s) is/are withdr 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 27-36 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and	awn from consideration.				
Application Papers					
9) The specification is objected to by the Examiner.					
10)⊠ The drawing(s) filed on <u>07 September 2004</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.					
Applicant may not request that any objection to the					
Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the					
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the priority docume application from the International Bure * See the attached detailed Office action for a list	nts have been received. nts have been received in Applicati iority documents have been receive eau (PCT Rule 17.2(a)).	on No ed in this National Stage			
Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:				

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DETAILED ACTION

Response to Amendment

1. This office action is in response to the Amendment filed September 7, 2004.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 27, 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukuda (6,085,170) in view of Kara (6,233,568).
- 4. With respect to Claim 27, 29-33: Tsukuda discloses the use of a method for processing an order for a consumer product (see abstract) via the internet (Column 2, lines 37-41) comprising the steps of:
 - a. Receiving the order from the client (column 2, lines 37-41),
 - b. Identifying a first address (column 4, lines 62-67),
 - c. Identifying a collection point, referred to as an agent, (column 9, lines 38-46 and Figure 12),
 - d. Selecting a courier from a courier database (column 10, lines 13-22).
- 5. Tsukuda discloses all of this being done on a webpage, however fails to disclose the use of determining the price for delivery of a plurality of carriers and displaying the rates of multiple carriers. Kara discloses the use of determining and displaying the price of delivery of an item for

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multiple couriers to a destination address (See Figures 8 and 8A with corresponding detailed description). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tsukuda to have the display of courier cost, as disclosed by Kara, in order for the consumer to make an informed decision on the most preferred carrier. (See Kara abstract)

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- 6. With respect to Claim 36: See Tsukuda, Column 10, lines 23-30.
- 7. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukuda in view of Attendahl, in further vew of Kirsch (5,963,915).
- 8. Tsukuda and Attendahl, as disclosed above for Claim 27, disclosed the use of the orders being placed on the internet, but fails to disclose the address being embedded in a cookie. Kirsch discloses the use of a purchasing agreement being doing over the internet where cookies are used for addresses (column 7, line 43 to column 8, line 20). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have information such as addresses embedded into a cookie, as disclosed by Kirsch, in order to eliminate redundant user input when completing a transaction over the internet (see Kirsch Column 2).
- 9. Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over

 Tsukuda and Kara as applied to claim 26 above, and further in view of Ogilvie et al. (6,344,796).
- 10. With respect to Claim 34: Tsukuda and Kara, as disclosed above, teaches the use of a collection point with a plurality of lockers, but fails to disclose the specifics of the locker, and the locker being controlled by a microcontroller. Ogilvie discloses a collection point with a

plurality of lockers with a central controller that controls the locks of the locker (column 2, lines 1-8, column 4, lines 13-44) and with a unique identifier for each courier (column 4, line 54 to column 5, line 30). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the collection point of Tsukuda be equipped with the locker system of Ogilvie, in order to provide a secure low cost unattended delivery collection point (See Ogilvie, column 1).

11. With respect to Claim 35: See Tsukuda, Column 5, lines 49-67.

Response to Arguments

12. Applicant's arguments with respect to claims 27-36 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Webb whose telephone number is (703) 308-8579. The examiner can normally be reached on M-F (7:30 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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